

SAN DIEGO COUNTY JUVENILE JUSTICE COMMISSION
KEARNY MESA JUVENILE DETENTION FACILITY
INSPECTION REPORT
2009 Inspection

Facility Name: KEARNY MESA JUVENILE
DETENTION FACILITY (KMJDF)

Inspection Date: 11/18/2009
Last Inspection Date: 7/15/2009

Superintendent: Yvette Klepin, Probation Director
Address: 2801 Meadow Lark Drive
San Diego, CA 92123

Telephone Number: (858) 694-4500
Fax: (858) 694-4333

Type of Facility: Juvenile Hall

Presiding Juvenile Court Judge:
Honorable Susan Huguenor

Staff Interviewed: Yvette Klepin, Superintendent
Registered Nurse
Education Staff
Dietary Staff

Total Bed Capacity: 359

Juvenile Justice Commission Chair:
Jessica St.Clair

Commission Inspection Team:
Kellie McKenzie
Francisco Garcia

Recommendations

1. It is recommended that the hallway in Unit 60 be resurfaced; it has deteriorated and now poses a safety hazard.
2. Replace beds with platform-style beds to reduce suicide attempts via asphyxiation. Superintendent Klepin is pursuing all avenues to obtain "safe beds." (continued from 2008 recommendation)

Comments: Yvette Klepin, Superintendent, was organized and accommodating. All staff to be interviewed were present. Dietary staff, medical staff, education staff, and probation staff, mental health staff were interviewed. All expressed concerns about the budget reductions. Dietary staff reported some changes had to be made to the menu to accommodate the children's preferences. Education staff is evaluating the possibility of additional funding from eScrip program to make up for budget cuts.

Since the last Inspection

Number of Suicides: 0
Number of Attempted Suicides: 9
Number of Deaths from other causes: 0
Number of Escapes: 0

Local Inspections:

Fire Inspection: April 23, 2009
Medical/Mental Health: March 2009
Environmental Health: March 2009
Nutritional Health: March 2009

Date of Last Fire Drill: October 9, 2009

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Disaster Drills twice a year: May 2009 and October 2009

Training, Personnel, and Management

Child supervision, training and staffing levels: Staff: child ratio is 1:10 during waking hours and 1:30 during sleeping hours.

English is the primary language spoken by minors, followed by Spanish. Some of the staff are bilingual in Spanish and English. If needed for translation with families or minors, the facility uses a service called Interpretalk, which is a telephone translation service; translators will come in person to the facility, if necessary. For deaf/hard of hearing minors or families, American Sign Language interpreters are provided.

Kearny Mesa's staff members represent diverse ethnicities and cultures, including Hispanic, Middle Eastern, Pacific Islanders, Asian, Caucasian and African-American.

As part of JCPF (Juvenile Probation and Camp Funding), correctional officers are assigned small caseloads of juveniles and meet with them a minimum of once per week. During this meeting, a service plan is initiated to address behavior while the minor is in custody and high-risk behaviors when the minor is released.

Physical Facility

Grounds: This facility lacks any green space, garden areas or trees. There is a field for ball sports, in addition to a black top area which children have access to for recreational activities. Eventually, this facility will need to be replaced with one which has more outdoor living space for 300 active minors.

Exterior: The exterior of the building has been maintained as well as possible when age and number of remodels are considered. The close quarters of living/recreation areas is surrounded by barbed wire and concertina wire.

Interior: During the past year, it was reported that locks were changed, classrooms were gutted and remodeled, areas were painted, air ducts were cleaned and the administration area was improved. That said, the facility is aging and the County Board of Supervisors will need to add the KMJDF to its list of those buildings needing replacement.

All cleaning fluids and chemicals were stored in locked areas and away from juveniles.

No weapons are allowed in the facility. Law enforcement officers who bring juveniles in for booking lock their weapons in the Sally Port or lock them in the trunk of their patrol cars.

Sleeping rooms are dark with concrete floors. Not all rooms had a desk. Although it was noted that new lighting was added to sleeping rooms in 2007, the rooms still seemed too dark to read, do homework or write letters. Other lighting was adequate. Due to the small room size, toilets are close to the bunks.

Five rooms in the female unit have been turned from double bunk beds into single bunks to be used as "suicide watch beds." A request has been made for additional safe beds; however, this is currently

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frozen due to budget cuts. Beds in some areas are metal platform beds with a mattress. All beds are 12" from the floor. The Director explained that the beds have been a source of suicide attempts in the past year. Minors use an item of clothing or sheet to attempt asphyxiation. The Director would like to replace these beds with platform beds which provide no opportunity to affix strangulation material.

Minimal graffiti was noticeable. Graffiti abatement is a constant issue.

Temperature was comfortable throughout the facility on walk-through.

Juvenile Facility Capacity and Crowding

Capacity is about 300, but on the day of the inspection, there were 172 boys and 75 girls. More home supervision and transfers to the East Mesa Juvenile Detention Facility (EMJDF) ease any potential crowding.

Classification and Segregation

Classification: Children are separated based on their gender, age, size and "criminal sophistication." Adjustments in placement are made on a case-by-case basis when appropriate. Both Section 601 and Section 602 minors are housed in the Kearny Mesa facility, but in separate areas of the facility.

Orientation: Each juvenile receives an individual copy of the rules when they are booked into the facility. Correctional officers discuss the rules with each juvenile as well as explaining the cover command.

Segregation: Both Section 601 and Section 602 minors are housed in Kearny Mesa facility, but in separate areas of the facility. Booking and Release areas are also separate. Some minors serve time only on weekends. In 2008, the Section 601 minors are required to write an essay for the Judge on good choices.

Administrative segregation occurs due to violence and a minor may need to be isolated to protect themselves or others. Administrative segregation must be approved by a supervisor. Then the director of the facility must read the report and make a determination if the segregation is appropriate. It is then reviewed weekly to determine if it is a necessity. A juvenile on administrative segregation still receives recreation time, all programs and school work on an individual basis.

There are ten living units housed in Kearny Mesa. Units 400 and 500 are nonfunctioning. Unit 200 is now used to house the younger 12- to 13-year-old boys. Although the Department of Corrections and Rehabilitation has placed the capacity at 359, occupancy typically runs under 300. On the day of inspection, there were 247 juveniles housed at Kearny Mesa.

Juveniles from other facilities awaiting court hearings are provided with clean rooms, separate from the general population.

Assessment and Plan: Under Juvenile Probation and Camp Funding (JPCF) all minors are orientated to the facility and programming within seven days. Within seven days, all juveniles have an Individual Services Plan (ISP) developed which is a needs-based service delivery model used to determine programs

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appropriate for the juvenile as well as individualized goals. Within 30 days, there is a Behavior Summary generated which identifies the child's behavioral needs as well as goals. Upon exiting KMJDF, there is an exit review of the plan to determine what goals and objectives have been met as well as determine future goals and objectives for the child.

Counseling and Casework Services: Casework is done through Probation staff.

Use of Force: All staff receive Training which includes guidelines, protocol, and procedure for use of force, and defense and restraint tactics. The armed unit that carries weapons also receives training particular to their assignment. Any allegation of excessive force is investigated immediately.

Safety Room Procedures / Physical Restraint: Superintendent Klepin pointed out that the Safety Room had been used two times, while the Restraint Chair was used one time in the past year; this is a reduction in the need for juvenile restraint. Ms. Klepin and her staff should be commended. Ms. Klepin attributes this reduction in restraints to increased staff training in proactive methods of defusing potentially violent situations.

Searches: Random room searches for contraband are conducted on a regular basis. If there is reasonable suspicion that a juvenile may be carrying contraband, a strip search is conducted.

Grievance Procedure: There is a clear process for filing a grievance. This process is reviewed during orientation and is written in the handbook. Each grievance is recorded and a response given to the griever. The rules and grievance procedures are posted on each unit.

Over 1300 grievances have been filed this year. Most grievances are filed for mark downs, school homework, and food quality. All juveniles are oriented to the grievance upon entrance into the facility. Grievances are collected and reviewed on a daily basis. The grievance is reviewed and outcomes relayed back to juveniles. Minors appear to understand grievance procedures. Every grievance filed is heard at some level.

Reporting of Incidents

The director of the facility has offered to join the JJC subcommittee to reestablish a new policy and procedure for the reporting of critical incidents to the JJC.

There is protocol in place for juveniles to file grievances.

- 1) Juvenile files grievance
- 2) The grievance is reviewed by the director to determine if it is appropriate to be resolved with the staff member involved.
- 3) The Juvenile and the staff meet to resolve the issue. If both parties agree the issue is resolved the process ends.
- 4) If it can not be resolved it then is reviewed by the shift supervisor. If the minor and the Supervisor are able to resolve the issue the process ends.
- 5) If it can not be resolved the issue is then reviewed by the hearing Officer, at which point the issue MUST be resolved.
- 6) The director reviews the grievance.
- 7) A copy of the grievance goes to the juvenile.

There were over 13,000 grievances this year.

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Programs and Activities

School Program: The school program is year round and staffed with 20 full-time contracted teachers. There are four full-time Special Education teachers and one counselor with four to six counseling interns completing 600 hours. There is one full-time English Language intervention specialist on site and a bilingual Teacher's Assistant. Because of the year-round schedule, substitute teachers are on site most days to cover for full-time staff vacations and sick leave. The school year is 185 days.

The school program is administered jointly with the Girls' Rehabilitation Facility (GRF) by the San Diego County Office of Education. About 300 students (including GRF) participate in the school program. Of these 300 students, approximately 28% are on active Special Education status. About 250 of these students are residents of KMJDF on any given day. There are 15 classrooms with a maximum of 15 students in each room. A maximum of 20 minors attend "Day rooms." All minors are required to attend school. There are no students currently on independent study.

Coursework is grade appropriate and individualized according to the needs of the students whose educational needs are individually assessed. The education program is standards based ("Power Standards") and the teachers teach to the required standards. In addition to the required standards, there is an enrichment program available to students through the STAR (Students Taking Academic Responsibility) Program, where eligible students can study for and take the GED and then begin also taking online community college classes through a Dual enrollment program and earn both high school and college credit. This seems to be an extremely motivating program for the students. Of the 126 students who took the GED, only two have returned to KMJDF and only seven were in violation of their probation. There is also a transition-based curriculum and other job skills training offered as enrichment.

Students have homework and are allowed to do homework in sleeping rooms or day room. Pencils are allowed in sleeping rooms, but are confiscated if safety is an issue. Homework is highly encouraged and mandated in the STOP (Short-Term Officer Program) and YOU (Youth Offender Unit) programs.

Supplies are somewhat limited due to the current budget situation at the County Office of Education. Teachers supplement needed supplies as well as they can. The computer situation is improving and by next year additional computers will be available.

All juveniles at KMJDF are required to have educational instruction. Juveniles can be suspended up to five days for such things as fighting or threatening behavior. Staff and school personnel at the facility view education as a collaborative effort, and there is little fighting in the school setting.

Juveniles who are confined to their rooms are required to attend school and are allowed access to supervised exercise.

Leadership is supportive of the collaborative effort between school and facility staff, and both groups have worked to support juveniles. The staff is innovated and dedicated to the success of the juveniles in their classrooms.

It must be noted that, under the direction of Supervisor Klepin, the School Program has flourished this past year. The teachers have designed an effective program to provide GED and college credit classes for students. This will continue to be an emphasis for 2009.

Minors interviewed: Two male minors were interviewed for the purpose of this inspection. They were cooperative and respectful. Their favorite thing about the Kearny Mesa facility is school. One male

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student spoke of the GED enrichment program available at school, which includes test taking strategies for multiple choice tests, as well as practice tests that are provided to them on the content of the GED. The same student interviewed reported that he was informed of all rules, regulations, procedures and rights the day he arrived and understood them.

Recreation and Exercise: Volleyball nets and a playing field were visible during the tour. Day rooms were large and adequate for the population.

Recreation time is provided in compliance with Title 15 requirements. Juveniles do calisthenics, and some team sports. In accordance with Title 15 Regulations, juveniles have one hour of physical education in the morning during their school hours and one hour in the afternoon supervised by Probation.

Also under Title 15 Regulations, there are three evidenced-based programs that are being implemented to meet the needs of the population, which are groups being led by correctional counselors:

- 1) Success for Teens
- 2) Thinking for a Change
- 3) Parenting Classes (for the male population)

Religious Program: Juveniles that choose to participate have access to religious services. There is a request form box to allow juveniles to request a particular religious mentor. There is one optional non-denominational service each week by volunteer clergy. Many of the juveniles note Catholic as their religion of choice, but no weekly mass is scheduled at this time.

Substance Abuse Counseling: Substance Abuse education and counseling is part of the program on all units. Social Advocates for Youth (SAY) provides drug counseling, and volunteers from NA and AA hold meetings in the units.

Volunteer Program: Alcoholics Anonymous and Narcotics Anonymous provide volunteer services. Clergy also volunteer time to provide non-denominational religious service. Juveniles may also request a specific clergy person.

Victim Awareness classes: A high percentage of juveniles have been the victim of a violent crime. Victim Awareness education continues to be a part of the regular programming in all units. In addition, Tariq Khamisa Foundation (TKF) program is once per week in all units.

Visiting: Visits by family are encouraged. Regular visiting hours are held each Thursday and Sunday.

Space is provided for family or professional visits. Staff keeps visual contact, but conversations are confidential.

All minors are provided the opportunity for visitation and have visits unless they have no family or the family chooses not to come. Siblings that are over 21 years old may visit. Other visitors are considered by staff on a case-by-case basis. Visitors who arrive under the influence of drugs or alcohol, or are hostile to the staff, will be turned away for that visitation time. About one third of the population receives visits.

Gang Awareness classes: Gang Awareness education is an integral part of the daily programming in all units.

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Sexual Harassment classes: Sexual Harassment education is presented on a daily basis. Each day, the correctional officer or detainee reads a statement defining sexual harassment and explaining what to do if a juvenile believes they are being sexually harassed. These allegations are taken very seriously.

Correspondence: Postage is provided free of charge to juveniles. Juveniles' incoming mail is only read if they are on mail restriction; in those cases, correctional officers follow the proper procedure. Correspondence is otherwise confidential.

Juveniles have, at a minimum, weekly phone privileges. Juveniles are required to call collect. Some minors receive county-paid phone calls based upon court order and needs of the child.

Access to Legal Services: Juveniles have access to phones to call their attorney during phone time. All attorneys accept collect calls. They also have the option to write a letter or can make a request to any staff member that they would like to speak with their attorney which is responded to within 24 hours.

Discipline

Consequences for misbehavior vary from insight essays to counseling to short-term room confinement (two hours) to longer time confinement (up to five days). Confinement excludes school and mandatory exercise periods, but limits participation in recreational activities.

Health Services: General Discussion

At this year's inspection, it was reported that 15-20% of the juveniles are on psychotropic medication.

The Stabilization Treatment and Transition (STAT) team manages mental health services with onsite staff and contracts with Children's Hospital and Sharp Hospital. During the initial intake, if mental health issues are present, then a parent is contacted whenever possible for a history. Ongoing assessment is done of all children in the facility by staff.

Currently, the facility has 3 full-time practicum students, 8 interns and 3 Marriage Family Therapists (MFT) interns working with the children providing the following services:

- 1) Second Chance Y.O.U. Program
- 2) Counseling
- 3) Cognitive Behavioral Groups
- 4) Treatment plan/ Transition plan development with P.O. and Mental Health, family
- 5) Services provided in and out of custody

In addition, children requiring psychiatric services are provided with transitional care through Vista Hill Juvenile Court Clinic.

There is access to both medical and mental health services. Newly booked juveniles are screened at time of intake and receive a physical within 48 hours of admission. There are boxes throughout the living areas for juveniles to fill out a medical request. These are collected by nursing staff every four hours and are triaged for medical staff, i.e., nurse visit, physician assistant visit, or M.D. visit. Emergency medical and mental health issues are responded to within 20 minutes. The medical team works closely with

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Public Health regarding public health issues such as STDs and positive PPDs (tuberculosis skin test). Juveniles are referred for mental health services in a variety of ways, including self referrals, referrals from probation officers, correctional officers, parents, medical team, etc. The mental health team provides crisis intervention and stabilization, which may require ongoing care during time at KMJDF. The medical team is also available during visiting hours to allow for interaction with families of the juveniles.

CFMG (California Forensic Medical Group) has on-site mental health staff. If a juvenile or staff person feels a mental health evaluation is needed, it is reported to this mental health staff. Additionally, it was noted that CFMG uses this staff to provide teleconference services to other juvenile detention facilities.

Food Service

The kitchen was viewed. Knives and chemicals are locked at all times.

Some females work with food distribution and table set up. They are trained in proper hygiene.

Prepared food is brought in from a Central Kitchen. There was a previous problem with food temperature being too low due to food sitting un-served for too long. This has been corrected and trays of food are not brought out until juveniles are ready to eat.

Minors are permitted to hold conversations after every juvenile is served.

Weekly menus are prepared and posted on the refrigerators in the unit. If a juvenile requires a special diet secondary to a chronic disease such as diabetes, this is ordered through the medical clinic and the food is then prepared according to specifications in the kitchen.

The inspection occurred between mealtimes, preventing the opportunity to inspect meals. However, the posted menu indicated that servings are generous and the meals well-balanced. The Food Director reported that new menu items have been added such as muffins, fruit, additional sandwiches, and cold cereal three times per week.

Meals are supervised, and food stealing is not permitted. Thirty minutes is allowed for meals. Weaker youth are monitored by staff and seated near cooperative minors.

The hallway in the dining area still had lunch warming carts and dirty dishes. This was about 2 PM, long after lunch.

Clothing and Personal Hygiene

The Inspection team did not observe any personal items in the sleeping areas, although minors are allowed books, photos and personal toiletries.

Both male and female minors appeared well groomed. They are outfitted in plain pants and T-shirts. The color of the T-shirt has significance regarding status of the juvenile. For example, female juveniles wear maroon; high-security juveniles wear orange and must be accompanied by Probation staff. Clothing is loose fitting and appropriate to the weather.

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Daily showers are permitted. In an attempt to lower humidity levels, some privacy windows were removed. This allows viewing of minors from hallway. Adequate venting should be investigated to allow for greater personal privacy.

Bedding and Linens

Blanket supply seems adequate. Minors have one blanket and may receive another on request.

Transition Plan

The transition plan is based on risk, and varies depending on the juvenile and his program.

/end